



Entered on Docket
October 14, 2011

A handwritten signature in black ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

THE RHODES COMPANIES, LLC, aka
"Rhodes Homes," et al.,

Reorganized Debtors.

☒ Affects all Debtors
☐ Affects the following Debtors

Chapter 11

Case No. BK-S-09-14814-LBR
(Jointly Administered)

SCHEDULING ORDER REGARDING THE
IRS CLAIM

Hearing Date: 9/27/2011
Hearing Time: 10:30 a.m. (PST)
Courtroom 1

The Internal Revenue Service ("IRS"), by and through the United States Department of Justice, and the above-captioned reorganized debtors (collectively, the "Reorganized Debtors"), by and through their undersigned counsel, Kolesar & Leatham, Pachulski Stang Ziehl & Jones, LLP and Akin Gump

1 Strauss Hauer & Feld LLP, respectfully submit this Scheduling Order Regarding the IRS Claim (as
2 defined below) (the “Order”). The IRS and the Reorganized Debtors are collectively referred to herein
3 as the “Parties.”

4 WHEREAS, on September 25, 2009, the IRS filed proof of claim No. 7-1 as a priority claim in
5 the amount of \$1,285,683.50 against debtor, Bravo, Inc., case number 09-14825;

6 WHEREAS, on April 13, 2010, the IRS filed amended proof of claim No. 7-2 also against
7 Bravo, Inc. as a priority claim in the amount of \$1,326,068.11 and as an unsecured claim in the
8 amount of \$2,560,388.64, for a total claim of \$3,886,456.75 (the “IRS Claim”);

9 WHEREAS, on March 31, 2011, the Reorganized Debtors filed the *Objection to Claim No.*
10 *7 File by the Internal Revenue Service against Debtor Bravo, Inc., Etc.* [Docket No. 1377] (the
11 “Claim Objection”);

12 WHEREAS, on March 31, 2011, the Court scheduled a hearing for June 24, 2011, to
13 consider the Claim Objection;

14 WHEREAS, on June 22, 2011, this Court entered the Order approving the Scheduling
15 Stipulation re the Objection [Docket No. 1445] entered into between the Parties continuing the June
16 24, 2011 hearing regarding the IRS Claim;

17 WHEREAS, on June 22, 2011, this Court scheduled a hearing regarding the IRS Claim for
18 September 27, 2011 at 10:30 a.m. (PST) (the “Hearing”);

19 WHEREAS, on September 15, 2011, the IRS filed the Opposition to Debtors’ Objection to
20 IRS Claim Filed Against Bravo, Inc.

21 WHEREAS, on September 27, 2011, this Court heard oral argument with respect to the IRS
22 Claim and, for the reasons set forth in the record, set the matter down for trial subject to the timeline
23 outlined below.


24 **IT IS HEREBY ORDERED THAT:**

- 25 1. The pre-trial hearing will be held on January 31, 2012 at 10:30 a.m. (PST);
- 26 2. Pre-trial statements will be due from both Parties by January 26, 2012 at 2 p.m. (PST);
- 27 3. The Parties shall submit simultaneous opening briefs by February 6, 2012 at 2 p.m. (PST);
- 28 4. The Parties shall submit simultaneous reply briefs by February 20, 2012 at 2 p.m. (PST);

5. Trial for the IRS Claim will be held on March 5, 2012 at 9:30 a.m. (PST).

SUBMITTED BY:

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